IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 1781 of 1999

Between:

M/s.Vijayalakshmi Rice and Flour Mill, rep. by its Proprietor D.Krishnamurthy, s/o Samudraiah, Hindu, aged 50 years, r/o Ipur village, Kolluru Mandal, Guntur District.

..... PETITIONER

AND

1. The Chairman, A.P.S.E.B., Vidyut Soudha, Hyderabad.
2. The Chief Engineer (Electricity), Vijayawada Zone, Vijayawada-2.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order more especially one in the nature of writ of Mandamus for a direction to the first respondent to dispose of the appeal dated 06.12.1998 pending before him as expeditiously as possible by giving reasonable opportunity of hearing by restoring the power supply to the petitioner's rice mill holding the assessment of the 2nd respondent as highly excessive and arbitrary.

Counsel for the Petitioner: MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondents: SMT.M.VINOBHA DEVI

The Court made the following:

ORDER:

Heard both sides.

In this writ petition, the main grievance of the petitioner is only against non-disposal of the appeal which was filed on 06.12.1998 and which is pending before the first respondent.

This Court has already granted interim directions at the initial stage. Having regard to the fact that the main appeal itself is pending, it is not necessary to go into the merits of the case at this stage and if it is already disposed of, it is always open to the petitioner to file fresh proceedings and make a challenge thereof.

In the circumstances, the writ petition is disposed of directing the first respondent to dispose of the appeal filed by the petitioner as expeditiously as possible, if not already disposed of. No costs.

It is needless to mention that in case the appeal is still pending, the interim order granted by this Court shall continue to remain in force.

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23.12.2004

VGB

To

1. The Chairman, A.P.S.E.B., Vidyut Soudha, Hyderabad.
2. The Chief Engineer (Electricity), Vijayawada Zone, Vijayawada-2.
3. 2CD copies.